

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

\_\_\_\_\_  
No. 05-10445  
\_\_\_\_\_

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT NOVEMBER 2, 2005 THOMAS K. KAHN CLERK
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D. C. Docket No. 03-00583-CV-FTM-29-DNF

EDWIN MESADIEU,

Plaintiff-Appellant,

versus

CARLOA LLORCA,  
LAURA NELSON, individually and in her official  
capacity as a Police Officer of the Collier County  
Sheriff's Office,  
COLLIER COUNTY,  
DONALD HUNTER, Collier County Sheriff,  
in his official capacity,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Middle District of Florida

\_\_\_\_\_  
**(November 2, 2005)**

Before TJOFLET, KRAVITCH, Circuit Judges, and JORDAN\*, District Judge.

\_\_\_\_\_  
\*Honorable Aldaberto Jordan, United States District Judge for the Southern District of Florida,  
sitting by designation.

PER CURIAM:

In its dispositive Opinion and Order of December 23, 2004, the district court concluded that Carloa Llorca, a sheriff's deputy, was entitled to qualified immunity on Edwin Mesadieu's claim that he used excessive force against Mesadieu in the execution of a search warrant, and therefore granted Llorca summary judgment. Viewing the evidence in the light most favorable to Mesadieu, the district court concluded that Llorca's conduct did not violate the Fourth amendment; alternatively, the court concluded that nothing in controlling precedent gave Llorca "fair notice that his conduct was unconstitutional under the facts" of the case.

We have doubts whether Llorca's conduct constituted excessive force, but we are completely satisfied that the district court reached the correct result on the qualified immunity issue for the reasons stated in its dispositive Opinion and Order.

**AFFIRMED.**